

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Julio Acosta

Docket Number: 06-00876-001
PACTS Number: 43111

Name of Sentencing Judicial Officer: Honorable William H. Walls, Sr. USDJ

Date of Sentence: 06/21/2007

Original Offense: CONSPIRACY TO DISTRIBUTE A CONTROLLED SUBSTANCE

Original Sentence: 60 months imprisonment; 5 years supervised release; \$100 special assessment.

Date of Violation of Supervised Release: 01/06/11

Sentence on Violation: 1 years supervised release with 8 months home confinement. Special conditions drug testing/treatment, mental health treatment, domestic violence counseling, alcohol restriction

Type of Supervision: Supervised Release

Date Supervision Commenced: 01/06/11

Assistant U.S. Attorney: Amy Luriea, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Linda D. Foster, Federal Public Defender, 972 Broad Street, 2nd Floor, Newark, New Jersey 07102, (973) 645-6347

PETITIONING THE COURT

☒ **To issue a warrant**
☐ **To issue a summons**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

1 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On July 12, 2011, Acosta was arrested by the Paterson Police Department for aggravated assault, burglary and criminal conduct. The alleged criminal conduct involved the physical assault of the offender's girlfriend, Sandra Morales.

The Probation Office has determined this conduct constitutes a **Grade A violation.**

2 The offender has violated the supervision condition which states '**The defendant refrain from the illegal possession and/or use of drugs, including prescription medications not prescribed in your name, and the use of**

alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'

The offender tested positive for the use of cocaine on January 24, 2011 and May 11, 2011.

The Probation Office has determined this conduct constitutes a **Grade C violation.**

- 3 The offender has violated the supervision condition which states '**The defendant shall notify the probation officer within seventy-two hours of any change of residence or employment.'**

The offender was fired from his job with Kerry's Landscaping on June 13, 2011, but failed to notify probation of this change of employment until being questioned on June 21, 2011, regarding a violation of home confinement.

The Probation Office has determined this conduct constitutes a **Grade C violation.**

- 4 The offender has violated the supervision condition which states '**The defendant refrain from the illegal possession and/or use of drugs, including prescription medications not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'**

Acosta has tested positive for the use of alcohol on February 24, 2011, and had a blood alcohol level of .068.

The Probation Office has determined this conduct constitutes a **Grade C violation.**

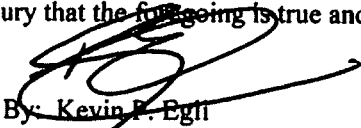
- 5 The offender has violated the supervision condition which states '**The defendant refrain from the illegal possession and/or use of drugs, including prescription medications not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'**

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The offender failed to complete Bergen Regional's Evergreen Intensive Outpatient Program. The offender was terminated from this program on March 1, 2011, due to his use of cocaine on January 24, 2011, and his use of alcohol on February 24, 2011.

The Probation Office has determined this conduct constitutes a **Grade C violation**.

I declare under penalty of perjury that the foregoing is true and correct.


By: Kevin P. Egli
U.S. Probation Officer
Date: 07/12/11

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other


Signature of Judicial Officer


Date